

Remarks

A. Claims

No claims have been amended. Claims 1-41 are currently pending.

B. Information Disclosure Statement

Applicant respectfully requests the Examiner to consider the art cited in the electronic information disclosure statement filed on April 8, 2004.

C. 35 U.S.C. §103 Rejections

The Examiner has rejected claims 1-6, 9-15, 18-27, 37, and 39-41 under 35 U.S.C. §103(a) as being unpatentable over Lach (U.S. Patent No. 6,363,452) (hereinafter “Lach”) in view of Ledzius, et al. (U.S. Patent No. 6,539,438) (hereinafter “Ledzius”). Applicant respectfully disagrees with these rejections.

In order to reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (emphasis added) *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

Neither Lach nor Ledzius appear to disclose, teach, or suggest “wherein the removable function module is operable to provide additional functionality to each of the computer cards comprised in the slots of the cage (emphasis added)” as recited in claims 1 and 11. The Examiner points to Lach at column 5, lines 14-52 for this teaching. Lach, however, does not appear to teach a removeable function module to provide additional functionality to each computer card. Applicant respectfully submits that the Examiner does not appear to have addressed the Applicant’s argument. The Examiner states:

As Lach notes at (col. 5, lines 14-51), discloses (sic) adapter cards typically contain functionality in addition to computer system; the adapter cards can contain any sort of computer functionality as memory or a peripheral device. Furthermore, as Lach notes at (col. 1, lines 42-56), Examiner further cited for clarification (sic), Hot-plug allows adapter cards to be inserted into or removed from slots at any time, even while the system is powered on so that to (sic) provide high system availability and serviceability. Typically hot plug administrative (sic) is provides for coordinating hot-plugging activities and interfacing with the server's system(function module). (Office Action, pages 11-12).

Neither the Examiner's argument nor the cited art address "to provide additional functionality to each of the computer cards comprised in the slots of the cage (emphasis added)" as recited in claims 1 and 11. Applicant respectfully requests the Examiner withdraw the rejection to claims 1, 11, and claims dependent thereon.

Similarly, Lach and Ledzius do not appear to disclose, teach, or suggest "wherein the first removable function module provides a first additional functionality to each of the at least a subset of the plurality of computer cards comprised in the slots of the cage (emphasis added)" as recited in claim 21. Applicant respectfully requests the Examiner withdraw the rejection to claim 21 and claims dependent thereon.

Furthermore, Lach and Ledzius do not appear to disclose, teach, or suggest "wherein the first removable function module provides a first additional functionality to each of the computer cards comprised in the slots of the cage (emphasis added)" as recited in claim 31. Applicant respectfully requests the Examiner withdraw the rejection to claim 31 and claims dependent thereon.

Lach and Ledzius also do not appear to disclose, teach, or suggest "wherein the removeable function module is capable of interacting with each of the at least two computer cards to add functionality to each of the at least two computer cards (emphasis added)" as recited in clam 37. Applicant respectfully requests the Examiner withdraw the rejection to claim 37 and claims dependent thereon.

Lach and Ledzius do not appear to disclose, teach, or suggest "wherein the removable function module is operable to provide additional functionality to each of the computer cards comprised in the slots of the cage" as recited in claim 41. Applicant respectfully requests the Examiner withdraw the rejection to claim 41.

Furthermore, Lach and Ledzius do not appear to disclose, teach, or suggest “a plurality of computer cards, wherein each computer card comprises one of the plurality of computing systems, wherein each computing system comprises a personal computer” as recited in claim 41. In response, the Examiner states:

In response to applicant’s argument that Ledzius teaches PCMCIA cards, not personal computers comprises (sic) on a card, PCMCIA cards do not contain the functionality of a personal computer. Examiner further cited reference PCMCIA CARD DEVELOPMENTS(non-patent literal) for clarification. As Porooshani notes at page 145, discloses PCMCIA best seller lists are standard faxmodem cards, LAN cards and hard drive cards. The lineup reflects that communications (functionality) is one of the fastest growing segments of the PC card market. (Office Action, page 13).

Applicant respectfully asserts that the Examiner has not provided any reference which teaches a personal computer comprised on a computer card. PCMCIA cards (PC cards) do not have personal computers on the PCMCIA card. As stated in Ledzius: “PCMCIA cards are typically used to add functionality or memory to a personal, portable or desktop computer (i.e., a host computer), as described in the PCMCIA standards (emphasis added) (Ledzius, col. 2, lines 43-47).” None of the references cited by the Examiner describe a PCMCIA card as comprising a personal computer. Claim 41 further recites “each personal computer comprised on each of the plurality of computer cards interfaces with a separate set of human interface devices, including at least a monitor and a keyboard.” This feature also is not disclosed, taught, or suggested by any of the cited references (including the references cited by the Examiner for teaching PCMCIA cards). Applicant respectfully requests the Examiner withdraw the rejection to claim 41.

The Office Action has also not stated a prima facie case of obviousness for combining Lach and Ledzius. As stated in the MPEP §2142:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art

reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (emphasis added)

There is no teaching or suggestion to combine Lach and Ledzius either in the references or in the prior art. As held by the U.S. Court of Appeals for the Federal Circuit in *Ecolochem Inc. v. Southern California Edison Co.*, an obviousness claim that lacks evidence of a suggestion or motivation for one of skill in the art to combine prior art references to produce the claimed invention is defective as hindsight analysis.

Furthermore, the showing of a suggestion, teaching, or motivation to combine prior teachings "must be clear and particular Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence'." *In re Dembiczak*, 175 F.3d 994, 50 USPQ2d 1614 (Fed. Cir. 1999). The art must fairly teach or suggest to one to make the specific combination as claimed. That one achieves an improved result by making such a combination is no more than hindsight without an initial suggestion to make the combination. Applicant respectfully asserts that there is no suggestion in the prior art for combining Lach and Ledzius, and that even were the two references combined, they would not produce the system/method of claims 1-41.

The Examiner has rejected claims 7, 16, 28, 29, 34, and 38 under 35 U.S.C. 103(a) as being unpatentable over Lach in view of Ledzius and further in view of Heath, et al. (U.S. Patent No. 6,564,274) (hereinafter "Heath"). Applicant respectfully disagrees with these rejections. Applicant respectfully asserts claims 7, 16, 28, 29, 34, and 38 are allowable at least as dependent on patentably distinct claims 1, 11, 21, 31, and 37.

The Examiner has rejected claims 8, 17, and 25 under 35 U.S.C. §103(a) as being unpatentable over Lach. Applicant respectfully disagrees with these rejections. Applicant respectfully asserts claims 8, 17, and 25 are allowable at least as dependent on patentably distinct claims 1, 11, and 21.

D. Many Of The Dependent Claims Are Separately Patentable

The Examiner is also respectfully requested to separately consider each of the dependent claims for patentability. Many of the dependent claims in addition to those mentioned above are independently patentable.

For example, the cited art does not appear to disclose, teach, or suggest “wherein the plurality of computing systems comprises a plurality of independent computing systems (emphasis added)” as recited in claim 9. The Examiner points to Lach at column 5, lines 14-32 for this teaching. However, the adapter cards taught by Lach are not independent. For example, the adapter cards do not appear to function apart from the motherboard. Applicant asserts claim 9 is also allowable for at least the above reason.

Furthermore, the cited art does not appear to disclose, teach, or suggest “a power supply comprised on the frame, wherein the power supply is operable to couple to an external power source and supply power to the plurality of computing systems” as recited in claims 10, 19, and 39. The Examiner points to Lach column 7, lines 53-64. However, Lach does not appear to disclose at least a power supply comprised on the frame as recited by claims 10, 19, and 39. Instead, Lach appears to disclose a power supply as part of the computer system connected to an adapter card. In response, the Examiner states:

As Lach notes at (col. 7, lines 53-64), each slot control module is connected to the associated slot by the following signals lines Pwr_on/off which turns power on and off to the slot, switch_control which causes the isolation mechanism to connect and disconnect the slot. Power supply (external source) coupled to computer system is well known, then distributed to slots(receiving/removing computing system-cards) which coupled to adapter cards. (Office Action, page 12).

Applicant respectfully submits, that turning power on or off to a slot does not read on “a power supply comprised on the frame.” For example, claim 10 recites, in part:

“wherein each computer card comprises:

a frame; ...

a power supply comprised on the frame...”

Each computer card comprises a frame, and a power supply is comprised on the frame. The cited references do not disclose, teach, or suggest at least this feature. Applicant respectfully asserts claims 10, 19, and 39 are also allowable for at least the above reason.

The cited art also does not appear to disclose, teach, or suggest “wherein the computer card contains a personal computer.” as recited in claim 40. For example, Ledzius teaches PCMCIA cards, not personal computers comprised on a card. As discussed above, PCMCIA cards do not contain the functionality of a personal computer.

E. Additional Remarks

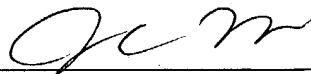
In light of the foregoing amendments and remarks, Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5602-09400/JCH.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,



Jeffrey C. Hood
Reg. No. 35,198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: 9/29/2004